

COMMONWEALTH OF MASSACHUSETTS
State Building Code Appeals Board
Board's Ruling on Appeal¹

Docket No. 08-612

Appellant(s): Vernon Woodworth

vz. Appellee(s): City/Town of Norwood
Mark Chubet

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, Appellant requested that the Board grant him a variance from 780 CMR 3409.9 of the Massachusetts State Building Code (MSBC) for 661 Pleasant Street, Norwood, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on August 7, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

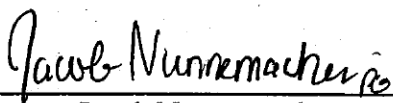
The Appellant appeared for the hearing *pro se*. Others were present also; the sign-in sheet is on file at the Department of Public Safety.

Discussion

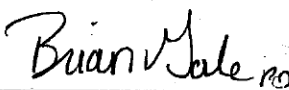
A motion was made to grant the Appellant's request for a variance from 780 CMR 3409.9, of the MSBC based upon the fact that the building is of Type II-C construction, is fully sprinklered, and has a fire alarm system. In addition the motion noted that the new use (sports training center, A-3) is low risk use with a maximum occupant load of only 75 persons, and has 3 egresses; which is adequate in this case. It was noted in a letter dated July 31, 2008 that the Norwood Building Inspector has no objection to a code compliance alternative. The board vote on this motion was unanimous.

Conclusion

The Appellant's request for a variance, as described in the above Discussion, from 780 CMR 3409.9, is hereby granted and so ordered² on this date: August 7, 2008.



Jacob Nunnemacher



Brian Gale



Alexander MacLeod

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.